

Upon motion of Senator Burney, the rule was suspended, and the House bill providing for the protection of the frontier was also taken up and read for the information of the Senate.

Senator Shannon moved to substitute the House bill for Senate bill.

Senator Neyland moved that both bills be recommitted to a select committee of five.

The yeas and nays being called, the motion to recommit prevailed by the following vote :

YEAS—Senators Braswell, Brown, Cook, Coppedge, Foscue, Guinn, Jowers, Lane, Nelson, Neyland, Randolph, Selman, Shelley, Truitt and Yarbro—15.

NAYS—Senators Blount, Burney, Cooley, Dalrymple, Knox, Littleton, McDade, Parker, Record, Reed, Shannon and Stell—12.

Upon motion of Senator Shelley, fifty copies of both bills were ordered to be printed, and

Upon motion of Senator Jowers, the committee was instructed to report their action on the bill to the Senate at 10½ o'clock on Monday morning next.

The President announced the following committee, under the motion of Senator Neyland :

Senators Neyland, Shannon, Randolph, Cook and Cooley.

A message was received from the House, announcing the passage of the following Senate bills :

A bill to incorporate the Houston Direct Navigation Company, and a bill apportioning the State into Congressional Districts, and providing for the election of members to the Congress of the United States.

Senator Shelley introduced a bill to provide for elections in certain cases.

Bill read first time, and referred to Committee on the Judiciary.

Upon motion of Senator Stell, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, }
Sept. 6, 1866. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

Senator Burney moved to excuse Senator Braswell on account of sickness.

Carried.

Senator Foscue made the following report:

To the President of the Senate:

The Committee on Education, to which was referred a bill to be entitled "An Act to prohibit the sale or otherwise disposing of spirituous or other intoxicating liquors within six miles of Salado College," have had the same under consideration, and instruct me to report the accompanying substitute and recommend its passage.

F. F. FOSCUÉ, Chairman.

Received to come up in order.

Senator Record submitted the following report:

Hon. R. H. Guinn, President pro tem. of the Senate:

The Committee on the Judiciary, to whom was referred a bill to be entitled "An Act to provide for elections in certain cases," have had the same under consideration and have instructed me to report the same back to the Senate, and recommend its passage, with the following amendment:

Amend by adding section 3d, as follows:

SEC. 3. That this act take effect and be in force from and after its passage.

J. K. P. RECORD, Chairman.

Received to come up in order.

Senator Record also reports:

Hon. R. H. Guinn, President pro tem. of the Senate:

The Committee on the Judiciary, to whom was referred a bill to be entitled "An Act to incorporate the officers and members of St. John's Lodge No. 53, of (Ancient York) Free and Accepted Masons, located and working at Tyler, in the State of Texas," have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend the passage of the bill, with the following amendments, to-wit:

Strike out, in the 15th and 16th lines of section 1, the following words, to-wit: "Against in all courts whatever."

Strike out section 4 of the bill, and add sections 4, 5 and 6, as follows:

SEC. 4. That in any suit, or other proceeding against the said corporation, service of process, or of notice, or of any other papers, may be made by delivering to any officer of the corporation a copy thereof, duly certified, and the officer or other per-

sen serving the same shall state, in his return, the officer upon whom it was served, naming him."

SEC. 5. That any deed of conveyance, duly signed and executed by the officers of said corporation, in pursuance of a resolution authorizing the same, shall be deemed valid in law, and shall in law have the same force and effect as other like deeds of conveyance.

SEC. 6. That this act shall take effect and be in force from and after its passage.

J. K. P. RECORD, Chairman.

Received to come up in order.

Senator Record also reports:

Hon. R. H. Guinn, President pro tem. of the Senate :

The Committee on the Judiciary, to whom was referred a bill to be entitled "An Act to incorporate the officers and members of Tyler Temple of Honor, No. 8, of the State of Texas," have had the same under consideration, and have instructed me to report the same back, with the following amendments:

Strike out in the 4th and 5th lines of section 2, the words, "against in any court, or before any judge or officer whatever."

Strike out section 4 of the bill, and add sections 4, 5 and 6 as follows:

SEC. 4. That in any suit or other proceeding against the said corporation, service of process, or of notice, or of any other papers, may be made by delivering to any officer of the corporation a copy thereof, duly certified, and the officer or other person serving the same shall state, in his return, the officer upon whom it was served, naming him.

SEC. 5. That any deed of conveyance, duly signed and executed by the officers of said corporation, in pursuance of a resolution authorizing the same, shall be deemed valid in law, and shall in law have the same force and effect as other like deeds of conveyance.

SEC. 6. That this act take effect and be in force from and after its passage.

And to recommend that the bill, when so amended, be passed.

J. K. P. RECORD, Chairman.

Received to come up in order.

Senator Record also reports :

Hon. R. H. Guinn, President pro tem. of the Senate :

The Committee on the Judiciary, to whom was referred a bill to be entitled "An Act to incorporate the officers and Patriarch of Rural Encampment, No. 19, of the Independent Order of

Odd Fellows of the State of Texas," have had the same under consideration, and have instructed me to report the same back to the Senate, with the following amendments:

Strike out in the 4th and 5th lines of section 2 the words, "against in any court, or before any judge or officer whatever."

Strike out section 4 of the bill, and add sections 4, 5 and 6, as follows:

SEC. 4. That in any suit, or other proceeding against the said corporation, service of process, or of notice, or of any other papers, may be made by delivering to any officer of the corporation a copy thereof, duly certified, and the officer or other person serving the same shall state, in his return, the officer upon whom it was served, naming him.

SEC. 5. That any deed of conveyance, duly signed and executed by the officers of said corporation, in pursuance of a resolution authorizing the same, shall be deemed valid in law, and shall in law have the same force and effect as other like deeds of conveyance.

SEC. 6. That this act shall take effect and be in force from and after its passage.

And when so amended, the committee recommend the passage of the bill.

J. K. P. RECORD, Chairman.

Received to come up in order.

Senator Record also reports:

Hon. R. H. Guinn, President pro tem. of the Senate:

The Committee on the Judiciary, to whom was referred a bill to be entitled "An Act to incorporate the officers and members of William Tell Lodge, No. 29, of the Independent Order of Odd Fellows of the State of Texas," have had the same under consideration, and have instructed me to report the bill back to the Senate, and recommend its passage, with the following amendments, to-wit:

Strike out, in the 5th and 6th lines of section 2, the words, "against in any court, or before any judge or officer whatever."

Strike out section 4 of the bill, and add sections 4, 5 and 6, as follows:

SEC. 4. That in any suit, or other proceeding against the said corporation, service of process, or of notice, or of any other papers, may be made by delivering to any officer of the corporation a copy thereof, duly certified, and the officer or other person serving the same shall state, in his return, the officer upon whom it was served, naming him.

SEC. 5. That any deed of conveyance, duly signed and exe-

cuted by the officers of said corporation, in pursuance of a resolution authorizing the same, shall be deemed valid in law, and shall in law have the same force and effect as any other like deed of conveyance.

SEC. 6. That this act shall take effect and be in force from and after its passage.

J. K. P. RECORD, Chairman.

Senator Stell, Chairman of Committee on State Affairs, made the following reports:

1st. Recommends the passage of a House bill to incorporate Evergreen Cemetery Association.

Received to come up in its order.

2d. Recommends the passage of a House bill to authorize and permit George W. Glascock to sue the State of Texas.

Received to come up in its order.

3d. Recommends the passage of a Senate bill to incorporate the Gymnastic Association of San Antonio.

Received to come up in its order.

Senator Yarbrow introduced a bill to incorporate the Richland Turnpike and Toll-Bridge Company.

Bill read first time and referred to Committee on Roads, Bridges and Ferries.

Senator Reed introduced a bill to authorize the trustees of the Presbyterian Church of Victoria, in Victoria county, to dispose of a portion of their church block in Victoria.

Bill read first time and referred to Committee on State Affairs.

Senator Randolph introduced a bill to fix the salary and prescribe the duties of the Superintendent of Public Instruction.

Bill read first time and referred to Committee on Education.

Senator Saufley introduced a bill to revive the incorporation of the town of Linden, Davis county, formerly Cass county, passed 24th January 1856.

Bill read first time and referred to the Committee on the Judiciary.

A message was received from the House, announcing the passage of the following bills, viz :

A bill to restore lands sold for taxes.

A bill authorizing the building of an Iron Bridge over the Brazos river.

A bill to amend the 15th and 16th sections of "An act to consolidate in one act and amend the several acts incorporating the town of Rusk, in Cherokee county," approved January 19th, 1858.

A bill to enable the "Buffalo Bayou and Colorado Railway Company," to change the present route of their road, and to purchase the charter, corporate rights and franchise of the "Columbus Tap Railroad Company."

And bill to consolidate in one act and amend the several acts, incorporating the city of Houston, in Harris county.

ORDERS OF THE DAY.

Senate bill to incorporate the "Houston Direct Navigation Company," with amendments proposed by the House, taken up.

Amendments read, and on motion of Senator Shelley, bill and amendments referred to Committee on State Affairs.

Joint resolution requesting our members in the Congress of the United States to use their influence in securing the location of a branch of the United States District Court at Dallas, upon its third reading, taken up and read.

Senator Selman moved to amend as follows :

"Provided that this resolution shall in no way, be construed so as to interfere with the Federal Court, already established at Tyler, or into any intention to repeal the law establishing a branch of the Court at that point."

Senator Stell offered the following as a substitute for the amendment proposed by Senator Selman :

Amend resolution so as to request the establishing of an additional branch of the United States Court at Dallas, or elsewhere in the northern portion of the State, as may be expedient.

Substitute adopted for the proposed amendment.

Senator Record, moved to amend by striking out the words "or elsewhere."

Lost.

The question recurring on the adoption of the substitute as an amendment to the resolution, the yeas and nays being called, the amendment was lost, a two-third vote being required to a lopt:

YEAS—Senators Blount, Brown, Cook, Cooley, Coppedge, Foscue, Guinn, Jowers, Nelson, Neyland, Randolph, Reed, Selman, Stell and Truitt—15.

NAYS—Senators Bumpass, Burney, Dalrymple, Lane, Littleton, McDade, Parker, Record, Saufley, Shannon, Shelley and Yarbrow—12.

On motion of Senator Record, the resolution was amended by striking out "a" and inserting the words "an additional."

Adopted. Resolution passed.

The hour having arrived, the special order of the day, viz :

A bill to amend "An act to exempt certain property from execution," approved January 26, 1839, taken up.

Senator Reed proposed to amend by inserting after the words "household and kitchen furniture," the words "not to exceed \$500 in value.

Lost by the following vote :

YEAS—Senators Blount, Bumpass, Cook, Cooley, Foscue, Littleton, Randolph, Reed, Shannon, Shelley and Yarbrow—11.

NAYS—Senators Brown, Burney, Coppedge, Dalrymple, Guinn, Jowers, Lane, McDade, Nelson, Neyland, Parker, Sautley and Truitt—13.

Senator Randolph proposed to postpone the consideration of the bill until Monday week.

Lost.

Senator Nelson proposed to amend as follows :

After the word "profession" add the words, "all the saddles and bridles necessary for the use of any white citizen." Before the words "milch cows," strike out "five" and insert "ten." Strike out the word "or" before two horses, and insert "and."

On motion of Senator Sautley, the Senate then proceeded to vote on the amendments *seriatim*, when they were adopted as follows by yeas and nays :

Vote upon first amendment :

YEAS—Senators Blount, Brown, Cook, Coppedge, Dalrymple, Jowers, Knox, McDade, Nelson, Reed, Sautley, Shannon and Truitt—14.

NAYS—Senators Bumpass, Foscue, Guinn, Lane, Neyland, Parker, Selman and Yarbrow—9.

Vote upon second amendment :

YEAS—Senators Brown, Cook, Cooley, Coppedge, Dalrymple, Foscue, Jowers, Knox, McDade, Nelson, Parker, Reed, Sautley and Shannon—14.

NAYS—Senators Blount, Bumpass, Burney, Guinn, Lane, Neyland, Randolph, Selman, Shelley, Truitt and Yarbrow—11.

Vote upon third amendment :

YEAS—Senators Cook, Coppedge, Dalrymple, Foscue, Jowers, Knox, Littleton, McDade, Nelson, Parker, Reed, Sautley and Shannon—13.

NAYS—Senators Blount, Brown, Bumpass, Burney, Guinn, Lane, Neyland, Randolph, Selman, Shelley, Truitt and Yarbrow—12.

Senator Littleton proposed to amend as follows :

"Provided that the horses shall not be worth more than \$100 each."

On motion of Senator Knox, the consideration of the subject was suspended ; whereupon, Senator Knox offered the following resolution :

Resolved, That Gen. Heintzleman, at present in command of the District of Texas, being in this city, be invited to a seat within the bar of the Senate :

Adopted.

Senator Cook moved to appoint a committee of three to inform Gen. Heintzleman, of the adoption by the Senate of the resolution of invitation.

Carried.

The Chair appointed Senators Cook, Knox and Shelley said committee.

The Senate resumed the consideration of the exemption bill.

Senator Neyland moved to refer the whole subject to a select committee of five.

Whereupon the yeas and nays were called and stood thus :

YEAS—Senators Bumpass, Cook, Guinn, Littleton, Neyland, Randolph, Selman, Shannon, Shelley, Stell, Truitt and Yarbrow—12.

NAYS—Senators Blount, Brown, Burney, Cooley, Coppedge, Dalrymple, Foscue, Jowers, Knox, Lane, McDade, Nelson, Parker, Reed and Saufley—15.

Senator Jowers moved to lay the pending amendment on the table.

On motion of Senator Shelley, the Senate adjourned until 10 o'clock to-morrow, pending the motion of Senator Jowers.

SENATE CHAMBER, }
September 7, 1866. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

Senator Cook offered the following resolution :

WHEREAS, In the bill which has passed both Houses of the present Legislature, having for its object the division of the State into the requisite number of Congressional Districts, a mistake was made by the Senate Engrossing Clerk, whereby the bill was made to recite that the county of Montgomery com-